

## REMARKS

Claims 1-14 are pending in the application, claims 10 and 11 are withdrawn from consideration as drawn to a nonelected species.

Applicant confirms the election of species I, claims 1-9 and 12-14 readable thereon.

Claims 1 and 14 have been amended to hopefully obviate the rejections under 35 USC 112. Other amendments to the claims have been made to correct other minor informalities noted in a review of the claims.

Claims 1-3, 7, 9, and 12-14 under consideration stand as rejected under 35 USC 102 as anticipated by Rucinski WO/09859.

Claim 1 has been amended to clarify that the swing arm is of substantial length and may be articulated with respect to the horizontal segment of the upper member so as to allow substantial variations in the distance between the book holder and the vertical lower upright member.

Rucinski does not have a swing arm but only a connecting pin with the swivel element. The book holder is immediately adjacent the swivel element and no appreciable change in distance between the book holder and vertical lower member is created by swinging the book holder on the pin.

A unique compound adjusting motion is produced by the various relationship, i.e., the rotation of the upper member, the swinging motion of the swing arm, and the rotation of the swing arm about its own axis, as well as the pivoting of the book holder on the swing arm in the plane of the book holder.

U.S. Patents 1,559,366 and 5,772,174 submitted herewith do show articulated support arms, but the nature of the pivot connections are different than what is claimed in claim 1 so that the adjusting motion is substantially different.

That is, it is not possible to rotate the swing arm about its longitudinal axis.

It is respectfully submitted that to pick and choose individual features from various patents to reconstruct with the teachings of the present invention the claimed invention is not proper, as the overall ergonomic motion is what is unique based on a number motions which can be simultaneously executed in a smooth and intensive manner.

See Akzo N.C. v. International Trade Commission, (CAFC 1980, 1 USPQ2d 1241).

The Examiner has also relied on Carr, U.S. 2,104,072 to reject the claims under 35 USC 103(a). Carr shows a pivot connection for the book holder, but this is by a ball and socket allowing tilt adjustments of the book holder.

In claim 2, the pivot connection is specified as allowing only rotation of the book holder in the plane of the book holder. Carr allows additional modes of rotation, while in Blumenstock U.S. 2,485,135 also relied on by the Examiner, the book holder cannot rotate in the plane of the book holder.

Claim 6, rejected under 35 USC 103(a) taken further in view of Keats 3,119,588, has been amended to further recite a molded plastic cover overlying the cast iron base. It is respectfully submitted that this composite construction is not taught in Keats or the other patents of record.

The composite construction yield a compact, strong, heavy structure but having

good aesthetic qualities.

Claim 9, rejected under 35 USC 103(a) further in view of Bradley, U.S.

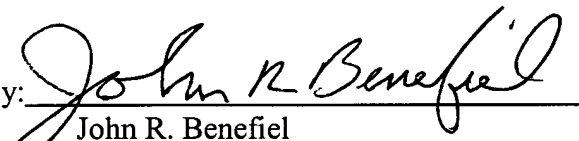
3,586,852, has been amended to claim the split sleeve clamp with two knobs having threaded stems used with two half moon clamping pieces. Bradley clearly does not describe such a clamp.

Accordingly, reconsideration of the rejections under 35 USC 102 and 103(a) is respectfully requested.

Respectfully submitted,

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